No. 727. ORIOLO *v.* UNITED STATES. On petition for writ of certiorari to the Circuit Court of Appeals for the Third Circuit. February 26, 1945. *Per Curiam:* The petition for writ of certiorari is granted and the judgment is reversed. *Mortensen* v. *United States,* 322 U. S. 369. The

CHIEF JUSTICE, MR. JUSTICE DOUGLAS, and MR. JUSTICE JACKSON think that the judgment should be affirmed, the Mortensen case being inapplicable for the reasons stated in the opinion of the court below. *Mr. Thomas D. McBride* for petitioner. *Solicitor General Fahy, Assistant Attorney General Tom C. Clark, Messrs. Robert S. Erdahl* and *Irving S. Shapiro* for the United States. Reported below: 146 F. 2d 152.